

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

BRIAN HUDDLESTON,

Plaintiff,

v.

FEDERAL BUREAU OF
INVESTIGATION and UNITED
STATES DEPARTMENT OF
JUSTICE,

Defendants.

CIVIL ACTION No. 4:20CV447

JUDGE AMOS MAZZANT

**FBI’S MOTION FOR LEAVE TO FILE RESPONSE OUT-OF-TIME TO
PLAINTIFF’S MOTION TO PERMIT COUNSEL TO VIEW EVIDENCE**

As correctly noted in Plaintiff’s reply filed yesterday [ECF 99], the deadline for the FBI to file its response to Plaintiff’s Motion to Permit Counsel to View Evidence [ECF 91] expired on January 30, 2023. The FBI accordingly moves for leave of Court to file its response out-of-time. Due to a calendaring error, the response deadline was calculated for 21 days, rather than 14 days for a response to a non-dispositive motion. Additionally, the undersigned was out of the country on a personal

vacation last week and only returned to the office yesterday, unaware at the time of filing the response that the deadline was miscalculated. The undersigned takes full responsibility for the error and apologizes to the Court and to the plaintiff for the oversight.

The FBI has attached its response (filed yesterday, ECF 98) to this motion for leave. The FBI respectfully requests that it be granted leave to file the response out of time.

The undersigned has discussed this motion with Plaintiff's counsel, and he has graciously indicated that he is unopposed.

Respectfully submitted,

BRIT FEATHERSTON
UNITED STATES ATTORNEY

/s/ Andrea L. Parker

ANDREA L. PARKER

Assistant United States Attorney

Texas Bar No. 00790851

550 Fannin, Suite 1250

Beaumont, Texas 77701

Tel: (409) 839-2538

Fax: (409) 839-2550

Email: andrea.parker@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2023, a true and correct copy of the foregoing document was filed electronically with the court and has been sent to counsel of record via the court's electronic filing system.

/s/ Andrea L. Parker
ANDREA L. PARKER
Assistant United States Attorney

CERTIFICATE OF CONFERENCE

In compliance with Local Rule CV-7(h), undersigned counsel hereby certifies that I have conferred with Plaintiff's counsel, and he is not opposed to this motion.

/s/ Andrea L. Parker
ANDREA L. PARKER
Assistant United States Attorney